

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA, et al,)	
<i>ex rel.</i> , Linda Anderson,)	
)	Civil Case No. 3:12-cv-00597
Plaintiffs,)	Judge Trauger
)	
v.)	
)	UNDER SEAL
ALIVE HOSPICE, INC.,)	
)	
Defendant.)	

UNITED STATES' AND TENNESSEE'S JOINT STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) and in accordance with the terms and conditions of the Settlement Agreement with the Defendant in this case, the United States of America and the State of Tennessee seek dismissal of this action. A copy of the Settlement Agreement is attached as Exhibit 1. Defendant Alive Hospice, Inc. has paid the \$1,548,220 Settlement Amount required by the terms of the Parties' Settlement Agreement.

Accordingly, the United States and Tennessee now stipulate to the entry of an order that (1) dismisses this action with prejudice as to the Relator and (2) dismisses this action with prejudice as to the United States and Tennessee with respect to the "Covered Conduct" defined in the parties' Settlement Agreement, and without prejudice as to the United States and Tennessee with regard to all other conduct. A proposed order is attached.

Respectfully submitted,

For the United States:

JACK SMITH
Attorney for the United States
Acting under Authority
Conferred by 28 U.S.C. § 515

By: s/ Ellen Bowden McIntyre
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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of September, 2015, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, notice was mailed by regular U.S. mail to: John W. Roberts, Roberts Law Group, PLLC, 1720 West End Avenue, Suite 530, Nashville, TN 37203; Leslie Bridges, Assistant Attorney General, Medicaid Fraud and Integrity Division, 425 Fifth Avenue North, Nashville, TN 37243; and Anna M. Grizzle, Brian D. Roark, and J. Taylor Chenery, Bass Berry & Sims, 150 Third Avenue South, Suite 2800, Nashville, TN 37201.

s/ Ellen Bowden McIntyre
ELLEN BOWDEN MCINTYRE
Assistant United States Attorney

Pursuant to 31 U.S.C. § 3730(b)(2), no service was made upon the Defendant because this case is still under seal.